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Via E-Filing

September 10, 2024

Honorable Rukhsanah L. Singh, U.S. Magistrate Judge
United States District Court- District of NJ
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Court Room 7W
Trenton, NJ 08608

***Re: In re: Johnson & Johnson Talcum Powder Products Marketing, Sales
Practices and Products Liability Litigation - MDL 2738***

Williams v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-13438

James v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-14421

Mitchell v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-15425

Sena-Hernandez v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-16241

Radbill v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-16389

Moina v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-17586

Wallace v. Johnson & Johnson, et al.
Civil Case No. 3:19-cv-17589

Hon. Rukhsanah L. Singh, U.S.M.J.
September 10, 2024
Page 2

Worley v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-17932

Simmons v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-17939

Whitehead v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-21318

Perez v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-21337

LaFrance v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-06853

Mendoza v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-17533

Vines v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-17534

Soguilon v. Johnson & Johnson, et al.

Civil Case No. 3:19-cv-03103

Roberts v. Johnson & Johnson, et al.

Civil Case No. 3:18-cv-03105

Dear Judge Singh:

The Johnson & Johnson Defendants write in reply to the Kiesel Law firm opposition (ECF 33261) to the August 15, 2024 Order to Show Cause (ECF 33096) regarding the referenced sixteen deficient Plaintiffs. The Kiesel Law firm has not shown good cause to be excused from the discovery obligations in these cases where the Plaintiff Profile Forms were due from seven to nine months ago. Defendants oppose the request that the Court provide Plaintiffs with a sixty (60) day extension or dismiss their cases without prejudice. The cases should be dismissed with prejudice.

There is no reason to believe that the long overdue discovery will be forthcoming if the Plaintiffs are provided with extra time. Plaintiffs' opposition certainly does not

Hon. Rukhsanah L. Singh, U.S.M.J.
September 10, 2024
Page 3

provide a basis for such a belief.

Likewise, the cases should not be dismissed without prejudice for all the reasons stated in Judge Shipp's opinions in the cases of *Smith* (Case No. 3:17-cv-11212, ECF 21); *Pringle* (Case No. 3:17-cv-06766, ECF 20); and *Demelia* (Case No. 3:17-cv-10971, ECF 23), dated August 16, 2024. This Court has consistently denied requests to dismiss without prejudice in similar situations involving failure to provide discovery, and there is no reason to treat these cases any differently.

Plaintiffs have been afforded more than enough time to cooperate with their counsel and comply with the Court's orders. And if their circumstances change, they can attempt to make a case for reinstatement under FRCP 60(b).

Accordingly, Defendants respectfully request Your Honor find the referenced sixteen Kiesel Law Plaintiffs have not demonstrated good cause in response to the Order to Show Cause entered by the Court on August 15, 2024 (ECF 33096) and dismiss these cases with prejudice.

Thank you for your consideration of these matters.

Respectfully,

/s/ Susan M. Sharko

Susan M. Sharko

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and LLT Management, LLC*

SMS/scg

Cc: Counsel of Record (via PACER)